

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YOEL WEISSHAUS,

Plaintiff,

- against -

ANDREW M. CUOMO, in his official and
Individual capacities,

Defendant.

20-CV-05826 (BMC)(KNF)

NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that defendant Andrew M. Cuomo, in his official and in his personal capacity, by his attorney, LETITIA JAMES, Attorney General of the State of New York, will move this Court before the Honorable Brian M. Cogan, United States District Judge, at the United States Courthouse for the Eastern District of New York located at 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, for an order dismissing the Complaint in the above-captioned action, filed December 1, 2020 pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, in support of his motion to dismiss, defendant shall rely upon the Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint, dated February 2, 2021; the Complaint itself; and all other pleadings and papers herein.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's order, dated January 14, 2021, any opposition papers to this motion to dismiss are due on or before February 16, 2021, and defendant may reply on or before February 23, 2021.

Dated: New York, New York
February 2, 2021

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State of New York
Attorney for Defendant
By:

_____/S/_____
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